



*The Commonwealth of Massachusetts
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Division of Health Care Finance and Policy
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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c.118G and in accordance with M.G.L. c. 30A, as amended, a public hearing will be held Tuesday, January 6, 2009 at 10:00 AM at the Division of Health Care Finance and Policy ("Division"), 2 Boylston Street, 5th floor, Boston, MA relative to the adoption of amendments to:

114.3 CMR 14.00 Dental Services

The proposed amendments revise the payments for dental services to publicly aided patients. The proposal applies a 7.57% increase to the rates for the following most frequently purchased preventative, restorative, and palliative Early Periodic Screening, Diagnosis and Treatment (EPSDT) services: D1351 Sealants-per tooth (age 5 thru 21)(in 3yr/tooth); D8670 Periodic Ortho Treatment Visit/Part of Contract; D1120 Prophylaxis – Child (up to age 14); D1203 Topical Application Fluoride (prophy not included) Child; D0150 Comprehensive Oral Evaluation (under 21 only); D0120 Periodic Oral Examination; D1110 Prophylaxis – Adult (over age 14); D7140 Extraction, Erupted Tooth or Exposed Root; D2930 Prefabricated Stainless Steel Crown – Primary Tooth; D0272 Bitewings Two Films; D0220 Intraoral –Periapical-First Film; D0230 Intraoral-Periapical- Each Additional Film; D0330 Panoramic Film; D9110 Palliative (Emergency) Treatment of Dental Pain; and D7240 Removal of Impacted Tooth- Completely Bony). All increases for EPSDT services were capped at 80% of the April 2008 median charge data that the Division received from Delta Dental of Massachusetts and any existing rates exceeding that cap did not change. To reflect current standards of care, EPSDT rates for one and two surface posterior composites, codes D2391 and D2392, increase by 13%, while EPSDT Rates for three and four surface posterior composites, codes D2393 and D2394, increase by 5.50%. The proposal establishes a uniform rate of \$43 for adult and EPSDT services for D9920 Behavior Management, which increases by 0.52%, and \$19 for D9450 Case Presentation (Community Health Center Enhancement Fee), which was previously set at Individual Consideration (I.C.). The proposal also reinstates D2970 temporary crown for a fractured tooth, adds D9120 Fixed Partial Dental Sectioning, both set at Individual Consideration (I.C.) for EPSDT and adults, and adds rates for D1206 Fluoride Varnish, set at \$26 for both EPSDT and for adults. All remaining EPSDT codes increase 0.52%. Because rates are rounded to the nearest whole dollar, any existing EPSDT rate below \$97 and subject to the 0.52% factor does not receive an increase. All remaining adult rates are held at their existing rates.

The Division is proposing these amendments to maintain access to dental services, and to ensure that the payment rates are consistent with efficiency, economy, and quality of care. It is estimated that aggregate annual MassHealth expenditures will increase by \$3.5 million or 1.62%: \$3.5 million, or 2.98%, for EPSDT dental services and \$2,699, or 0.003% for non-EPSDT adult dental services. The fiscal impact upon cities and towns will depend on the volume and mix of services purchased and is expected to be minimal. The effective date of the amendments is January 1, 2009.

Interested parties are encouraged to submit comments on these amendments. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons intending to speak will be afforded an early opportunity to testify if the Division receives notice by 5:00 pm on Monday, January 5, 2009. All others will be heard subsequently. Written comments may be sent to the Division at Two Boylston Street, 5th floor, Boston, MA 02116.

Copies of the regulation are available for inspection and/or purchase at the Division, Two Boylston Street, 5th floor, Boston, MA 02116 or you can access them free of charge in the Regulations section of the Division's web site located at www.mass.gov/dhcfp.